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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,322	11/19/2001	Hiromasa Ishiwata	356202/00	8420
75	590 01/16/2003			
McGinn & Gi	bb, PLLC	EXAMINER		
Suite 200 8321 Old Court		VY, HUNG T		
Vienna, VA 2	2182-3817		ART UNIT	PAPER NUMBER
			2828	
			DATE MAILED: 01/16/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Commonstrate	<u>•                                      </u>		Application No.	Applicant(s)			
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the period for reply specified above is town than thirty (20) steys, a reply within the staticity relief with graph and the graph and the period for reply specified above is town than thirty (20) steys, a reply within the state of consideration of the period for reply specified above is town than thirty (20) steys, a reply within the state of consideration of the period for reply specified above is town than thirty (20) steys, a reply within the state of consideration of the period o			09/988,322	ISHIWATA ET AL.			
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION.  Edamenso to the part of the proper security of the provided of the provided of 12 CPR 1.138(a). In or event, however, may a newly be limitely filled  Edamenso to the map by a evaluation of 12 CPR 1.138(a). In or event, however, may a newly be limitely filled  The period for newly specified above is less than thirty (30) days, a reply within the statutory uniformum of thirty (30) days, will be considered timely.  If the period for newly specified above is less than thirty (30) days, a reply with the statutory uniformum of thirty (30) days will be considered timely.  If the period for newly specified above is less than thirty (30) days, a reply the limitely filled, may reduce any seamed patient term adjustment. See 37 CPR 1.704(b).  Any reply received by the Office later than three months after the mailing date of this communication, swen if limity filled, may reduce any seamed patient term adjustment. See 37 CPR 1.704(b).  Status  Status  Status  Status  Scapping this action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.20 is/are pending in the application.  4a) Of the above claim(s)is/are withdrawn from consideration.  5) Claim(s) 1.21 signal 20 is/are rejected.  7) Claim(s) 1.21 signal 20 is/are rejected.  7) Claim(s) 1.21 signal 20 is/are rejected.  7) Claim(s) 1.21 signal 20 is/are rejected to by the Examiner.  Application Papers  9) The proposed drawing correction filled on is/are: a) accepted or b) objected to by the Examiner.  10) The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner.  11) The proposed		Office Action Summary	Examiner	Art Unit			
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION.  after 3X (8) MONTHS from the mailing date of this communication.  If the period for reply specified above, the mailing date of this communication.  If the period for reply specified above, the mailing date of this communication.  If the period for reply specified above, the mailing date of this communication.  If the period for reply specified above, the mailing date of this communication.  If the period for reply specified above, the mailing date of this communication.  If the period for reply specified above, the mailing date of this communication, are the mailing date of this communication, are the mailing date of this communication, are all finely filed, may reduce any carried plant form all quality may be a specified above, the mailing date of this communication, are if timely filed, may reduce any carried plant form all quality may be a specified above, the mailing date of this communication, are if timely filed, may reduce any carried plant form all quality may be a specified to the communication and the properties of the communication and the properties of the communication is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claim(s) 1-20 is/are pending in the application.  4) Claim(s) 1-20 and 20 is/are allowed.  Claim(s) 1-20 and 20 is/are allowed.  Claim(s) 1-21 and 1-20 and 20 is/are allowed.  Claim(s) 1-21 and 1-20 and 20 is/are allowed.  Claim(s) 1-21 and 1-20 and 20 is/are allowed.  Application Papers  9) The drawing(s) filed on is/are allowed.  Application are subjected to by the Examiner.  Application Papers  10) The drawing(s) filed on is/are allowed.  11) The drawing(s) filed on is/are allowed.  12) The armoney of the provision of the foreign provision of the forei	. <u> </u>		1				
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3 CPR 1.136(a). In one event, however, may a reply be limitly filled after 53 (6) MONTHS from the mailing date of this communication.  If the period for mely specified share is less than thing (70) down a reply within the statistory minimum of thiny (20) days will be accelerated in the period of the period							
2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) 1-14 and 1-10 is/are withdrawn from consideration.  5)  Claim(s) 1-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) 1-20 is/are objected to.  8  Claim(s) 1-21.51.9 and 20 is/are rejected.  7)  Claim(s) 3-10 sylvare objected to.  8	THE N - Exter after - if the - if NO - Failui - Any re earne	MAILING DATE OF THIS COMMUNICATION. Is ions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing	36(a). In no event, however, may a rep within the statutory minimum of thirty ( rill apply and will expire SIX (6) MONTH cause the application to become ABA	ly be timely filed  (30) days will be considered timely.  HS from the mailing date of this communication.  NDONED (35 U.S.C. § 133).			
3	1)🛛	Responsive to communication(s) filed on 11/2	<u>9/2002</u> .				
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)	2a) <u></u> □	This action is <b>FINAL</b> . 2b)⊠ Thi	s action is non-final.				
4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 1-14 and 1-16-25 is/are allowed. 6) Claim(s) 1-2,15,19 and 20 is/are rejected. 7) Claim(s) 1-2,15,19 and 20 is/are rejected. 7) Claim(s) 1-2,15,19 and 20 is/are rejected. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121.  Attachment(s) Notice of References Cited (PTO-852)   Notice of References Cited (PTO-852)   Notice of Oraftsperson's Patent Drawing Review (PTO-948)	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
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6) Claim(s) 1.2.15.19 and 20 is/are rejected.  7) Claim(s) 2.4(-18)s/are objected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some *c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  10 Motice of References Cited (PTO-892)  21 Notice of References Cited (PTO-982)  22 Interview Summary (PTO-413) Paper No(s). § Interview Su		•					
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	2) Notice	of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Info				

Art Unit: 2828

#### **DETAILED ACTION**

### Claim Rejections - 35 USC § 102

1, The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2, 15, and 19-20 are rejected under 35 U. S. C. § 102(b) as being anticipated by Kamioka et al., U.S. patent No. 5,831,951.

Regarding to claims 1,2,15, and 19-20, Kamioka et al. disclosed in fig. 5 a control circuit for laser diode, comprising: an amplifier circuit producing at an output terminal and feedback voltage that is indicative of an optical power generated by laser diode (not shown) in response to a driving current flowing there through; a driving circuit responding to output voltage to control driving current so as to make voltage difference small; amplifier circuit driving output terminal with a first time constant during a steady operation and with second time second time constant (See column 4, line 53-58).

#### Allowable Subject Matter

2. Claims 3-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the

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base claim and any intervening claims, since the prior art of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed circuit, with a first switch coupled in parallel to said capacitor, the second switch coupled to said input end of said operational amplifier through said first resistor.

The following is a statement of reason for the indication of allowable subject matter:

4. Claims 8 -14 and 16-18 are considered allowable since the prior made of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed limitations having a first amplifier, second amplifier, first resistor, a second resistor coupled in parallel to said capacitor, the first switch and second switch.

(U.S. Patent No. 5,831,951)

#### Citation of Pertinent References

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patent to Kinoshita discloses Semiconductor Laser Driving Device For Stabilizing the Optical Ouptut thereof, U.S. Patent No. 4,884,280.

The patent to Kinbara discloses Power source Control Apparatus for Laser Diode, U.S. Patent No. 6,137,816.

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#### Conclusion

- 6. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung VY whose telephone number is (703) 605-0757. The examiner can normally be reached on Monday-Friday 8:30 am - 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul IP can be reached on (703) 308-3098. The fax numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956. Paul Do

> PAUL IP SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2800

Hung T. Vy Art Unit 2828

December 19, 2002